## IN THE UNITED STATES ARMY FIRST JUDICIAL CIRCUIT

UNITED STATES	)	
	)	DEFENSE PROPOSED CASE
v.	)	MANAGEMENT ORDER
	)	
MANNING, Bradley E., PFC	)	
U.S. Army, (b) (6)	)	
Headquarters and Headquarters Company, U.S.	)	
Army Garrison, Joint Base Myer-Henderson Hall,	)	DATED: 21 February 2012
Fort Myer, VA 22211	)	

- 1. The Defense submits the following proposed Case Management Order for the Court's consideration:
- a. Per a docket request, the Government requested a trial date of 3 April 2012. The Defense requested that the trial begin on 30 April 2012. Given the timeline detailed below, the Defense requests the Court to set trial for <u>4 June 22 June 2012</u>. The Defense does not believe the trial will require the entire scheduled time.
- b. Notification pursuant to Military Rule of Evidence 304 and 404(b) shall be provided by **29 February 2012**.
- c. The Government shall provide all discovery by  $\underline{23 \text{ March } 2012}$  either to the Defense or to the Court pursuant to Military Rule of Evidence 505(i). If the Government fails to provide the requested discovery by  $\underline{23 \text{ March } 2012}$ , the Court will consider appropriate sanctions under Military Rule of Evidence 505(i)(4)(E).
- d. The Government shall notify the Defense of its intent to use expert testimony by <u>28</u> March 2012.
- e. The Government, with the Defense's input, shall arrange for all depositions to take place within the Military District of Washington. All depositions will occur between <u>2 April 2012</u> through <u>6 April 2012</u>.
  - f. Requests for expert assistance shall be provided by **10 April 2012**.
  - g. Member questionnaires will be due by <u>17 April 2012</u>.
  - h. Witness lists will be exchanged by **24 April 2012**.
- i. Notice of Accused's intent to disclose classified information under Military Rule of Evidence 505(h) shall be provided by 11 May 2012.

- j. Notice of the Accused's forum selection and notice of pleas shall be provided, in writing by **24 May 2012**.
  - k. Proposed voir dire and other member instructions will be due 30 May 2012.
  - 1. Motion deadlines, motion response deadlines, and Article 39(a) sessions set as follows:

Issues Addressed	Motion	Motion	Article 39(a)
	Filing	Response	
Bill of Particulars; Compel Discovery; Compel Depositions.	14 February 2012	21 February 2012	23 February 2012
Protective Order; Pretrial Publicity Order; Proposed Case Management Order.	21 February 2012	N/A	23 February 2012
Proposed Members Instructions for 641; 793(e); and 1030(a)(1). Proposed Elements for 641; 793(e); and 1030(a)(1).	12 March 2012	19 March 2012	29 – 30 March 2012
Unlawful Command Influence; Improper Referral; Dismissal of Charges; Jurisdictional Defects; Constitutional Challenges to UCMJ, MREs and RCMs; Challenges to Protective Order.	19 March 2012	26 March 2012	29 – 30 March 2012
Outstanding Discovery Issues; Suppress statements and/or items seized; Speedy Trial; Article 10.	13 April 2012	20 April 2012	26 – 27 April 2012
Compel Experts; Compel Witnesses; Evidentiary Motions in Limine; Requests for Judicial Notice; Any additional motion that does not have an identified deadline.	7 May 2012	14 May 2012	17 – 18 May 2012
Grunden Hearing.	N/A	N/A	1 June 2012
Article 13.	7 May 2012	14 May 2012	If necessary, during panel's deliberations on Sentencing
Voir Dire; Member Instructions; Outstanding Issues.	As detailed above.	N/A	1 June 2012

2. The point of contact for this memorandum is the undersigned at (b) (6)

Respectfully submitted,

DAVID EDWARD COOMBS Civilian Defense Counsel